

REMARKS

The pending claims (2 and 11) were rejected under 35 U.S.C. 103 as being unpatentable over Webster in view of Koppe. Applicant respectfully disagrees with this rejection. These claims have been amended to further clarify the differences between the invention and the prior art. Also, dependent claims 12-13 have been added.

Applicant's claimed invention is a hook lift hoist that can be used with containers of diverse lengths, without damaging the rear of the hoist. The invention can be used with containers of diverse lengths because of the adjustable placement of the actuator on the container. The actuator is placed on the container in a position that varies with the length of the container. Because of this selective adjustment of the actuator position, the hoist can be used with all different sizes of containers, including those that are shorter than a minimum specified length.

The Webster reference cannot be used for containers of diverse lengths. The Webster reference has one hard stop point, and thus cannot be used with diverse containers, including containers that are shorter than a minimum specified length. The actuator of Koppe is not adjustable, such that the positioning of the actuator is adjusted to allow for use with varying length containers. Neither reference, alone or in combination, teaches anything about adjusting the position of an actuator to allow one hook-lift hoist to be used with containers of varying length. Neither reference describes using varying length containers, including shorter than a specified minimum length containers, at all. Accordingly, these references do not render Applicant's claimed invention obvious.

Accordingly, the purpose of the claimed invention is not taught nor suggested by the cited references, nor is there any suggestion or teaching which would lead one skilled in the relevant art to combine the references in a manner which would meet the purpose of the claimed invention. Because the cited references, whether considered alone, or in combination with one another, do not teach nor suggest the purpose of the claimed invention, Applicant respectfully submits that the claimed invention, as amended, patentably distinguishes over the prior art, including the art cited merely of record.

Based on the foregoing, Applicant respectfully submits that its claims 2 and 11-13, as amended, are in condition for allowance at this time, patentably distinguishing over the cited

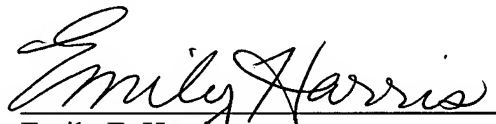
prior art. Accordingly, reconsideration of the application and passage to allowance are respectfully solicited.

The Examiner is respectfully urged to call the undersigned attorney at (515) 288-2500 to discuss the claims in an effort to reach a mutual agreement with respect to claim limitations in the present application which will be effective to define the patentable subject matter if the present claims are not deemed to be adequate for this purpose.

Respectfully submitted,

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